

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

In Re:	:	
	:	
Percy J. Cornelious,	:	Case No.: 19-51311
	:	Chapter: 7
	:	Judge: C. Kathryn Preston
Debtor.	:	

**APPLICATION TO EMPLOY TOM EROSHEVICH AND RE/MAX NORTH
AND NOTICE AND CERTIFICATE OF SERVICE**

Pursuant to 11 U.S.C. §327(a) and (d), Rule 2014 of the Federal Rules of Bankruptcy Procedure and Local Bankruptcy Rule 2014-1, Larry J. McClatchey, Applicant Trustee in the within case, respectfully represents as follows:

1. Percy J. Cornelious, Debtor, filed a petition for relief under Chapter 7 of the Bankruptcy Code on March 7, 2019.
2. Applicant was appointed Trustee on March 8, 2019, and is the duly qualified and acting Trustee.
3. Applicant desires to employ Tom Eroshevich of RE/MAX North, 870 High Street, Worthington, Ohio 43085, as a realtor to list and sell the single family residence which is commonly known as 2560 Willowgate Road, Grove City, Ohio 43123 (the "Property").
4. It is necessary to employ a realtor because Applicant has determined that there is equity in the Property to administer for the benefit of creditors in this case. Applicant further believes that the employment of a professional realtor to value, market and sell the subject real estate is necessary and in the best interest of the estate, and approval of the employment is requested as of the date of the Application.
5. The Debtor owns the Property that is encumbered by a lien in favor of U.S. Bank National Association. Trustee expects to obtain the consent of the secured creditor to a private sale and a "carve out" amount for the benefit of the bankruptcy estate.
6. The qualifications of Eroshevich to act as realtor are set forth in the attached Verified Statement. If Trustee subsequently determines a sale effort should be made, Trustee intends to list the Property for sale through Eroshevich.

7. To the best of Applicant's knowledge, Eroshevich is a licensed realtor, and, based upon the attached Verified Statement, known to the Trustee to be competent, disinterested, and to neither hold nor represent any interest adverse to the bankruptcy estate, nor does he have any relation to or connection with a judge of the Bankruptcy Court of the District Court for the Southern District of Ohio or the Office of the United States Trustee which would render the proposed employment improper under B.R. 5002, nor is he an officer or employee of the Judicial Branch of the United States or the United States Department of Justice.
8. No fees or retainer has been paid to Eroshevich in the one year prior to the filing of the petition through the time of the application in the within case.

WHEREFORE, Applicant request the entry of an Order authorizing the employment of Tom Eroshevich of RE/MAX North at 870 High Street, Worthington, Ohio 43085, to perform the services described above effective from the date of this Application.

/s/Larry J. McClatchey
Larry J. McClatchey (0012191)
Kegler, Brown, Hill + Ritter, Co., LPA
65 East State Street, Suite 1800
Columbus, Ohio 43215
Telephone: (614)462-5400
Facsimile: (614)464-2634
lmclatchey@keglerbrown.com
Trustee

NOTICE AND CERTIFICATE OF SERVICE

PLEASE TAKE NOTICE that Larry J. McClatchey, Trustee filed an Application to Employ Realtor with the Court.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this Bankruptcy case. (If you do not have an attorney, you may wish to consult one.) If you do not want the Court to grant the relief requested, or if you want the court to consider your views on the application then on or before **twenty one (21) days from the date set forth in the certificate of service for the motion or objection** ("Response Date"), you must file with the court a response explaining your position by mailing your response by regular US Mail to the Clerk of the United States Bankruptcy Court, 170 North High Street, Columbus, Ohio 43215 OR your attorney must file a response using the court's ECF System. If you mail your response to the Court for filing, you must mail it early enough so the Court will **receive** it on or before the Response Date.

You must also mail a copy of your response on or before the Response Date by 1) the Court's ECF System or 2) by regular US Mail to Trustee's counsel, Larry J. McClatchey, Kegler Brown Hill + Ritter, 65 East State Street, Suite 1800, Columbus, Ohio 43215. If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Application to Employ was served through the court's ECF System on all ECF participants registered in this case at the email addresses registered with the court, and by ordinary U.S. Mail on May 10, 2019 addressed to:

Percy J. Cornelious
2560 Willowgate Road
Grove City, Ohio 43123

Tom Eroshevich
RE/MAX North
870 High Street
Worthington, Ohio 43085

and See Attached Exhibit A

/s/Larry J. McClatchey
Larry J. McClatchey (0012191)
Kegler, Brown, Hill + Ritter, Co., LPA
65 East State Street, Suite 1800
Columbus, Ohio 43215
Telephone: (614)462-5400
Facsimile: (614)464-2634
lmclatchey@keglerbrown.com
Trustee

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

In Re:

Percy J. Cornelious,

Debtor.

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:
:
:
:

Case No.: 19-51311
Chapter: 7
Judge: C. Kathryn Preston

VERIFIED STATEMENT OF TOM EROSHEVICH

State of Ohio :
: ss.
County of Franklin :

Tom Eroshevich, being duly sworn, deposes and says:

1. I am a licensed, duly qualified and authorized to work in the State of Ohio.
2. My business maintains an office at 870 High Street, Worthington, Ohio 43085.
3. To the best of my knowledge and information, other than as stated above, I have had no other connection with the Debtor, Percy J. Cornelious, his creditors, or any other party in interest herein, or their respective attorneys or accountants.
4. To the best of my knowledge and information, I am a disinterested person as defined in 11 U.S.C. §101(14) and have no interest materially adverse to the Debtor, his estate or the creditors in matters upon which I am to be engaged.
5. To the best of my knowledge and information, no employee of my office is a relative of the United States Trustee or of a bankruptcy judge of the United States Bankruptcy Court for the Southern District of Ohio. I am not an officer or employee of the Judicial Branch of the United States or the United States Department of Justice, which would render my proposed employment improper under B.R. 5002.
6. I have not previously represented the Trustee.
7. I understand that compensation to me is subject to 11 U.S.C. §330 and applicable rules of this Court. Unless the Court permits me to be paid at the closing from the sale proceeds, I understand that I must request compensation as an expense of administration in accordance with rules of the Court. My customary and proposed rate of compensation is a 6% realtor's

commission upon closing of sale of the property, which commission includes out-of-pocket expenses.

8. No fee or retainer has been received by me nor any employee in my office, as to compensation in connection with this case.
9. I will not, under any circumstances, directly or indirectly, purchase or acquire any interest in any of the property to be sold by me.



Tom Eroshevich, Realtor
RE/MAX NORTH
870 High Street
Worthington, Ohio 43085
Telephone: (614)431-0300
Facsimile: (614)431-5258
teroshevich@gmail.com

Label Matrix for local noticing

AEP

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Advance America

0648-2

PO Box 24401

3651 W. Broad St.

Case 2:19-bk-51311

Canton, OH 44701-4401

Columbus, OH 43228-1450

Southern District of Ohio

Columbus

Fri May 10 11:50:26 EDT 2019

EXHIBIT A

Advance America Small Loans of OH Inc.

135 North Church Street

Spartanburg, SC 29306-5138

American Profit Recovery

Attn: Bankruptcy

34505 W 12 Mile Road #333

Farmington Hills, MI 48331-3288

Asst US Trustee (Col)

Office of the US Trustee

170 North High Street

Suite 200

Columbus, OH 43215-2417

CMRE Financial Services

Attn: Bankruptcy

3075 E Imperial Hwy Ste 200

Brea, CA 92821-6753

Chase Auto Finance

Attn: Bankruptcy

Po Box 901076

Fort Worth, TX 76101-2076

Chase Card Services

Attn: Bankruptcy

Po Box 15298

Wilmington, DE 19850-5298

(p)CHOICE RECOVERY INC

1550 OLD HENDERSON ROAD

STE 100

COLUMBUS OH 43220-3662

(p)COLUMBIA GAS

290 W NATIONWIDE BLVD 5TH FL

BANKRUPTCY DEPARTMENT

COLUMBUS OH 43215-4157

Columbus City Treasurer

Power Sewer and Water Services

PO Box 182882

Columbus, OH 43218-2882

Comenity/MPRC

Attn: Bankruptcy Dept

Po Box 965060

Orlando, FL 32896-5060

Percy J Cornelious

2560 Willowgate Rd

Grove City, OH 43123-1589

Credence Resource Management

Po Box 2300

Southgate, MI 48195-4300

Credit First National Association

Attn: Bankruptcy

Po Box 81315

Cleveland, OH 44181-0315

(p)ENCIRCLE COLLECTIONS INC

8300 NW 53 STREET SUITE 350

DORAL FL 33166-7712

Franklin Collection Service, Inc.

Attn: Bankruptcy

Po Box 3910

Tupelo, MS 38803-3910

Grant Medical Center

PO Box 182140

Columbus, OH 43218-2140

Grove City Eye Associates

1770 Stringtown Rd

Grove City, OH 43123-9049

Karen E Hamilton

19 East Kossuth

Columbus, OH 43206-2001

Richard John LaCivita

Reimer Law Co

30455 Solon Rd

Solon, OH 44139-3415

Loanmax

4701 W Broad St

Columbus, OH 43228-1612

Larry J McClatchey

65 East State Street

Suite 1800

Columbus, OH 43215-4295

Midland Funding

2365 Northside Dr Ste 300

San Diego, CA 92108-2709

Mr. Cooper (US bank)

Attn: Bankruptcy

8950 Cypress Waters Blvd

Coppell, TX 75019-4620

Nationwide Credit Inc

PO Box 14581

Des Moines, IA 50306-3581

PRA Receivables Management, LLC

PO Box 41021

Norfolk, VA 23541-1021

Plaza Services, LLC

110 Hammond Drive

Suite 110

Atlanta, GA 30328-4806

(p)PORTFOLIO RECOVERY ASSOCIATES LLC

PO BOX 41067

NORFOLK VA 23541-1067

Portfolio Recovery
Po Box 41021
Norfolk, VA 23541-1021

Reimer Law Co
PO Box 39696
Solon, OH 44139-0696

Sunrise Credit Services, Inc.
PO Box 9100
Farmingdale, NY 11735-9100

Synchrony Bank
c/o PRA Receivables Management, LLC
PO Box 41021
Norfolk, VA 23541-1021

T MobileTMobile USA Inc
by American InfoSource as agent
PO Box 248848
Oklahoma City OK 731248848

Time Warner Cable
PO Box 0916
Carol Stream, IL 60132-0916

United Collection Bureau
PO Box 183221
Columbus, OH 43218-3221

United Collection Bureau, Inc.
PO Box 1418
Maumee, OH 43537-8418

WOW
PO Box 4350
Carol Stream, IL 60197-4350

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Choice Recovery
1550 Old Henderson Road
Suite 100
Columbus, OH 43220

Columbia Gas
290 W Nationwide Blvd Unite 114
Columbus, OH 43215

Encircle Collection Inc
3390 Mary St Suite 116
Coconut Grove, FL 33133

Portfolio Recovery
120 Corporate Blvd Ste 100
Norfolk, VA 23502

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)U.S. Bank National Association

End of Label Matrix	
Mailable recipients	38
Bypassed recipients	1
Total	39